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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,153	01/02/2002	Jonathan Aaron Wright	72150	9422

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EXAMINER	
LIOU, JONATHAN	
ART UNIT	**PAPER NUMBER**
2663	

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/040,153	WRIGHT ET AL.	
	Examiner	Art Unit	
	Jonathan Liou	2663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 January 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01/02/2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 7 and 12 are objected to because of the following informalities: On the line 2 of step (c) of claims 7 and 12, the applicant teaches the output signal is produced in step(c). The examiner could not understand whether the applicant mean by the output from iteratively shifting or the output generates from step (b). The examiner suggests the applicant to describe in details for step (c). The examiner would assume the output signals are generates from step (b) and further examine. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-16 are rejected under 35 U.S.C. 102(a) as being anticipated by Rakib et al. (US Pub. 2001/0046266.)

4. As per claims 1, 7, and 12, Rakib et al. discloses the system and the method: for use with a receiver of a digital communication system, said receiver having a cell delineation mechanism that is operative (**sec [0009]-[0010], Rakib et al.**), given knowledge of boundaries of respective bytes of an incoming serial data stream (**sec [0021], Rakib et al.**), to delineate respective cells of said serial data stream (**sec**

[0263], Rakib et al.), a mechanism for locating said boundaries of respective bytes of said incoming serial data stream comprising:

a counter that is operative to count respective clock signals associated with said incoming serial data stream (**sec [0256], Rakib et al.**); and

a synchronization signal derivation unit, coupled to said counter and being operative to generate an output signal in potential alignment with the boundary of a byte of said incoming serial data stream (**sec [0256], Rakib et al.**), in response to contents of said counter reaching a prescribed count value, and iteratively shifting, as necessary, the time at which said output signal is produced relative to the counting operation of said counter, until said output signal is aligned with said boundary of a byte of said incoming serial data stream (**sec [00343], [00429]-[00430], Rakib et al.**)

In addition, Rakib et al. teaches the incoming data could be ATM data stream (**sec [0322], [0540], Rakib et al.**)

5. As per claims 2-3, 8-9, and 13-14, Rakib et al. teaches counter is operative to repetitively count toward said prescribed count value from a first preloaded count value, and wherein said synchronization signal derivation unit is operative to controllably program said counter with a second preloaded count value, different from said first preloaded count value, based upon whether or not said output signal is aligned with said boundary of a byte of said incoming serial data stream (**Rakib et al. teaches counter repetitively increment the count and synchronization the signal by software to generate the next counting value and iteration process is taken for alignment purpose. See sec [0460], [0516], Rakib et al.**)

synchronization signal derivation unit is operative to iteratively program said counter with said second count value for an individual one or more count cycles, separated from one another by plural count cycles during which said counter is programmed to count from said first preloaded count value, until said output signal is aligned with said boundary of a byte of said incoming serial data stream (**Rakib et al. teaches iteration procedure and values could vary in order to achieve frame synchronization. The first count value and the second count values are just different values for cycles of frames. See sec [0534]-[0535], Rakib et al.**)

6. As per claims 4-6, 10-11, and 15-16, Rakib et al. teaches following:

counter is operative to generate an intermediate frame sync signal FS_0 in response to contents thereof reaching a prescribed count value (**sec[0529], [0269] [0357] [0500], Rakib et al.**), and wherein said synchronization signal derivation unit includes a shift register to which said intermediate frame sync signal FS_0 is serially shifted, and wherein said output signal is derived from a selected stage of said shift register (**sec [0460], Rakib et al.**)

synchronization signal derivation unit is operative to controllably change the stage of said shift register from which said output signal is derived in a manner that causes said output signal to be aligned with said boundary of a byte of said incoming serial data stream (**sec [0267]-[0269], Rakib et al.**)

synchronization signal derivation unit is operative to iteratively and successively change the stage of said shift register from which said output signal is derived over

successive intervals, until said output signal is aligned with said boundary of a byte of said incoming serial data stream (**sec [0267]-[0269], [0429]-[0430], Rakib et al.**)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Liou whose telephone number is 571-272-8136. The examiner can normally be reached on 8:00AM - 5:00PM Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jonathan Liou

10/20/2005

RICKY NGO
PRIMARY EXAMINER, SPE 2663
10/27/05